

**HARFORD COUNTY  
MINIMUM LIVABILITY CODE  
(Rental Housing)**

Effective: October 4, 1988



**HARFORD COUNTY LIVABILITY CODE**  
**CHAPTER 162**

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**HARFORD COUNTY, MARYLAND**

**CHAPTER 162. LIVABILITY CODE**

**SECTION 162.1. GENERAL.**

**A. TITLE.** THIS ORDINANCE SHALL BE KNOWN AS THE MINIMUM LIVABILITY CODE OR "THIS CODE".

**B. SCOPE.** THIS CODE IS CREATED TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE IN RENTAL HOUSING UNITS AND PREMISES BY:

(1) ESTABLISHING MINIMUM PROPERTY MAINTENANCE STANDARDS FOR BASIC EQUIPMENT AND FACILITIES USED FOR LIGHT, VENTILATION, HEATING, AND SANITATION FOR RENTAL HOUSING UNITS AND PREMISES, AND FOR SAFE AND SANITARY MAINTENANCE OF RENTAL HOUSING UNITS AND PREMISES;

(2) ESTABLISHING MINIMUM REQUIREMENTS FOR RENTAL HOUSING UNITS AND PREMISES FOR MEANS OF EGRESS, FIRE PROTECTION SYSTEMS, AND OTHER EQUIPMENT AND DEVICES NECESSARY FOR SAFETY FROM FIRE;

(3) FIXING THE RESPONSIBILITIES OF PROPERTY OWNERS, OPERATORS, AND TENANTS OF RENTAL HOUSING UNITS AND PREMISES; AND

(4) PROVIDING FOR ADMINISTRATION, ENFORCEMENT, AND PENALTIES.

**C. INTENT.** THIS CODE SHALL BE CONSTRUED LIBERALLY AND JUSTLY TO PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE INsofar AS THEY ARE AFFECTED BY THE CONTINUED USE AND MAINTENANCE OF RENTAL HOUSING UNITS AND PREMISES.

**SECTION 162-2. DEFINITIONS.**

**A. RULES OF INTERPRETATION.**

(1) UNLESS OTHERWISE EXPRESSLY STATED, THE TERMS DEFINED IN SECTION B OF THIS CODE SHALL HAVE THE MEANINGS INDICATED FOR PURPOSES OF THIS CODE.

(2) WORDS USED IN THE PRESENT TENSE INCLUDE THE FUTURE. THE SINGULAR NUMBER INCLUDES THE PLURAL AND THE PLURAL THE SINGULAR.

(3) WHEN TERMS ARE NOT DEFINED, THROUGH THE METHODS AUTHORIZED BY THIS SECTION, THEY SHALL HAVE THEIR ORDINARILY ACCEPTED MEANINGS SUCH AS THE CONTEXT MAY IMPLY.

**B. TERMS DEFINED.**

(1) "**ACT**" MEANS ARTICLE 41B, SECTION 6-103, ANNOTATED CODE OF MARYLAND.

(2) "**BASEMENT**" MEANS THAT PORTION OF A STRUCTURE WHICH IS PARTLY OR COMPLETELY BELOW GRADE.

(3) **"BUILDING CODE"** MEANS THE BUILDING CODE ADOPTED BY HARFORD COUNTY, OR SUCH OTHER CODE(S) AS MAY BE DESIGNATED BY HARFORD COUNTY, FOR THE REGULATION OF CONSTRUCTION, ALTERATION, ADDITION, REPAIR, REMOVAL, DEMOLITION, USE, LOCATION, OCCUPANCY, OR MAINTENANCE OF PREMISES AND STRUCTURES.

(4) **"CENTRAL HEATING"** MEANS THE HEATING SYSTEM PERMANENTLY INSTALLED AND ADJUSTED SO AS TO PROVIDE THE DISTRIBUTION OF HEAT TO ALL HABITABLE AREAS FROM A SOURCE OUTSIDE OF THESE AREAS.

(5) **"CODE"** MEANS THE MINIMUM LIVABILITY CODE.

(6) **"CODE OFFICIAL"** MEANS THE OFFICIAL OR A DULY AUTHORIZED DESIGNEE OF THE COUNTY IN WHICH THE HOUSING IS LOCATED WHO IS AUTHORIZED TO ENFORCE THIS CODE.

(7) **"CONDEMN"** MEANS TO DECLARE A STRUCTURE OR PART OF IT, PREMISES, OR EQUIPMENT, UNSAFE OR UNFIT FOR USE AND OCCUPANCY.

(8) **"COUNTY"** MEANS HARFORD COUNTY.

(9) **"DEPARTMENT"** MEANS HARFORD COUNTY DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.

(10) **"EXTERMINATION"** MEANS THE CONTROL AND ELIMINATION OF INSECTS, RODENTS, OR OTHER PESTS BY:

(a) ELIMINATING THEIR HARBORAGE PLACES;

(b) REMOVING OR MAKING INACCESSIBLE MATERIALS THAT MAY SERVE AS THEIR FOOD;

(c) POISON SPRAYING FUMIGATING, TRAPPING, OR BY ANY OTHER PEST ELIMINATION METHODS WHICH HAVE RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

(11) **"GARBAGE"** MEANS THE ANIMAL AND VEGETABLE WASTE RESULTING FROM THE HANDLING, PREPARATION, COOKING, AND CONSUMPTION OF FOOD.

(12) **"HABITABLE AREA"** MEANS THE SPACE IN A STRUCTURE USED FOR LIVING, SLEEPING, EATING, OR COOKING, INCLUDING BATHROOMS AND TOILET COMPARTMENTS. CLOSETS, HALLS, STORAGE OR UTILITY SPACE, AND SIMILAR AREAS ARE NOT CONSIDERED HABITABLE AREAS.

(13) **"HOUSING UNIT"** MEANS A SINGLE UNIT OF A STRUCTURE PROVIDING OR INTENDED TO PROVIDE COMPLETE LIVING AND SLEEPING FACILITIES FOR ONE OR MORE PERSONS.

(14) **"INFESTATION"** MEANS THE PRESENCE, WITHIN OR CONTIGUOUS TO, A STRUCTURE OR PREMISES OF INSECTS, RODENTS, VERMIN, OR OTHER PESTS.

(15) **"LEASE"** MEANS A VERBAL OR WRITTEN AGREEMENT BETWEEN TENANT AND LANDLORD.

(16) **"MAINTENANCE"** MEANS THE REPAIR AND OTHER ACTS INTENDED TO PREVENT A DECLINE IN THE CONDITION OF A STRUCTURE, PREMISES, OR EQUIPMENT BELOW THE STANDARDS ESTABLISHED BY THIS CODE AND OTHER APPLICABLE STATUTES, CODES, AND ORDINANCES.

(17) **"OCCUPANT"** MEANS AN INDIVIDUAL HAVING POSSESSION OF A SPACE WITHIN A HOUSING UNIT.

(18) **"OPERATOR"** MEANS A PERSON WHO HAS CHARGE, CARE, OR CONTROL OF A STRUCTURE OR PREMISES WHICH IS OFFERED FOR OCCUPANCY.

(19) **"PERSON"** INCLUDES AN INDIVIDUAL, PARTNERSHIP, LIMITED PARTNERSHIP, TRUST, ESTATE, ASSOCIATION, OR CORPORATION.

(20) **"PLUMBING"** MEANS THE PRACTICE, MATERIALS, FACILITIES, AND FIXTURES USED IN THE INSTALLATION, MAINTENANCE, EXTENSION OR ALTERATION OF ALL PIPING, FIXTURES, APPLIANCES, AND APPURTENANCES WITHIN THE SCOPE OF THE APPLICABLE PLUMBING CODE.

(21) **"PLUMBING FIXTURE"** MEANS A RECEPTACLE OR DEVICE WHICH:

(a) IS EITHER PERMANENTLY OR TEMPORARILY CONNECTED TO THE WATER DISTRIBUTION SYSTEM OF THE PREMISES AND DEMANDS A SUPPLY OF WATER FROM IT;

(b) DISCHARGES USED WATER, LIQUID-BORNE WASTE MATERIALS, OR SEWAGE EITHER DIRECTLY OR INDIRECTLY TO THE DRAINAGE SYSTEM OF THE PREMISES; Or

(c) REQUIRES BOTH A WATER SUPPLY CONNECTION AND A DISCHARGE TO THE DRAINAGE SYSTEM OF THE PREMISES.

(22) **"PREMISES"** MEANS A LOT, PLOT, OR PARCEL OF LAND, INCLUDING THE STRUCTURES ON IT, THAT IS LEASED BY A TENANT.

(23) **"PROPERTY OWNER"** MEANS A PERSON HAVING A LEGAL OR EQUITABLE INTEREST IN THE PREMISES, INCLUDING THE GUARDIAN OF THE ESTATE OF THE PERSON, OR THE EXECUTOR OR ADMINISTRATOR OF THE ESTATE OF THE PERSON IF ORDERED TO TAKE POSSESSION OF THE PREMISES BY A COURT.

(24) **"REFUSE"** MEANS ALL SOLID WASTES WITH THE EXCEPTION OF BODY WASTES.

(25) **"RUBBISH"** MEANS PAPER, RAGS, CARTONS, BOXES, WOODS, RUBBER, LEATHER, TREE BRANCHES, ACCUMULATED YARD TRIMMINGS, TIN CANS, METALS, MINERAL MATTER, GLASS, CROCKERY, ACCUMULATED DUST, AND OTHER SIMILAR MATERIALS AS WELL AS THE RESIDUE FROM THE BURNING OF WOOD, COAL, COKE, AND OTHER COMBUSTIBLE MATERIALS.

(26) **"STRUCTURE"** MEANS A RENTAL UNIT USED FOR HUMAN HABITATION.

(27) **"TENANT"** MEANS AN OCCUPANT OTHER THAN A PROPERTY OWNER.

(28) **"VENTILATION"**

(a) **VENTILATION** MEANS THE PROCESS OF SUPPLYING AND REMOVING AIR BY

NATURAL OR MECHANICAL MEANS TO OR FROM A SPACE.

(b) **"MECHANICAL VENTILATION"** MEANS VENTILATION BY POWER-DRIVEN DEVICES.

(c) **"NATURAL VENTILATION"** MEANS VENTILATION BY OPENING TO OUTER AIR THROUGH WINDOWS, SKYLIGHTS, DOORS, LOUVERS, OR STACKS WITHOUT POWER-DRIVEN DEVICES.

**SECTION 162-3. APPLICATION.**

A. THE MINIMUM LIVABILITY CODE SHALL APPLY TO STRUCTURES USED FOR HUMAN HABITATION EXCEPT:

(1) OWNER-OCCUPIED SINGLE FAMILY HOUSING UNITS;

(2) HOUSING EXEMPTED BY THE DEPARTMENT.

(3) STRUCTURES FOR WHICH THE TENANTS DO NOT PAY RENT; AND

(4) A STRUCTURE OR HOUSING UNIT PROVIDED TO A TENANT BY THE TENANT'S EMPLOYER AS PART OF THE TENANT'S COMPENSATION.

B. REPAIRS OR ALTERATIONS TO A STRUCTURE, OR CHANGES OF USE TO IT, WHICH MAY BE CAUSED DIRECTLY OR INDIRECTLY BY THE ENFORCEMENT OF THIS CODE, SHALL BE DONE IN ACCORDANCE WITH THE PROCEDURES AND PROVISIONS OF ANY APPLICABLE LOCAL BUILDING CODE, PLUMBING CODE, MECHANICAL CODE, AND ELECTRICAL CODE, OR OTHER CODE OR STANDARD APPLICABLE TO HOUSING.

C. THE PROVISIONS IN THIS CODE DO NOT ABOLISH OR IMPAIR ANY REMEDIES AVAILABLE TO COUNTY OR ITS OFFICERS OR AGENCIES RELATING TO THE REMOVAL OR DEMOLITION OF ANY STRUCTURES WHICH ARE DEEMED TO BE DANGEROUS, UNSAFE AND UNSANITARY.

D. REPAIRS, MAINTENANCE, ALTERATIONS OR INSTALLATIONS WHICH ARE REQUIRED FOR COMPLIANCE WITH THIS CODE SHALL BE EXECUTED AND INSTALLED IN ACCORDANCE WITH INDUSTRY STANDARDS SO AS TO SECURE THE RESULTS INTENDED BY THIS CODE.

**SECTION 162-4. CODE ENFORCEMENT.**

A. **LOCAL ENFORCEMENT.** IT SHALL BE THE DUTY AND RESPONSIBILITY OF THE COUNTY TO ENFORCE THE PROVISIONS OF THIS CODE.

B. **LOCAL WAIVER.**

(1) THE DEPARTMENT MAY WAIVE APPLICABILITY OF THIS CODE, IN WHOLE OR PART, TO A UNIT OF RENTAL HOUSING ON APPLICATION OF THE PROPERTY OWNER IF:

(a) ADEQUATE NOTICE IN A FORM AND MANNER SPECIFIED BY THE COUNTY IS AFFORDED A TENANT OF THE UNIT;

(b) THE TENANT IS AFFORDED AN OPPORTUNITY TO COMMENT ON THE APPLICATION EITHER IN WRITING OR IN PERSON; AND

(c) THE WAIVER WOULD NOT THREATEN THE HEALTH OR SAFETY OF A TENANT.

(2) IN REACHING A DETERMINATION ON AN APPLICATION FOR WAIVER, THE CODE OFFICIAL SHALL ISSUE A WRITTEN DECISION SPECIFYING THE REASONS FOR GRANTING OR DENYING THE WAIVER. BOTH THE PROPERTY OWNER AND THE TENANT SHALL HAVE THE RIGHT TO APPEAL THE WAIVER DECISION IN ACCORDANCE WITH THE RIGHTS AND PROCEDURES SET FORTH IN SECTION 162-9 OF THIS CODE.

(3) A WAIVER MAY BE GRANTED BY THE CODE OFFICIAL AND MAY CONTINUE IN FULL FORCE AND EFFECT BEYOND THE TERM OF THE LEASE OF THE CURRENT TENANT. ANY PROSPECTIVE TENANT SHALL BE NOTIFIED, UPON APPLICATION FOR A LEASE FOR THIS UNIT OF RENTAL HOUSING, THAT THIS UNIT HAS BEEN GRANTED A WAIVER FROM A PROVISION(S) OF THIS CODE AND THAT HIS OR HER OCCUPANCY WILL BE SUBJECT TO THAT WAIVER. THE PROSPECTIVE TENANT SHALL HAVE THE RIGHT TO REQUEST THE COUNTY TO REVIEW THE WAIVER. THE COUNTY RESERVES THE RIGHT TO REVIEW THE WAIVER AT ANYTIME.

(4) THE DEPARTMENT MAY WAIVE APPLICABILITY OF THIS CODE IF THE WAIVER IS GRANTED ON THE BASIS OF THE RELIGIOUS PRACTICES OF THE OCCUPANT OF THE UNIT OF RENTAL HOUSING.

C. **DEPARTMENTAL AUTHORITY.** THE DIRECTOR OF THE DEPARTMENT OR DESIGNEE SHALL DECIDE QUESTIONS OF INTERPRETATION OF THIS CODE.

D. **DISPLACEMENT.** A PERSON MAY NOT BE DISPLACED BY ENFORCEMENT OF THIS CODE UNLESS ALTERNATE HOUSING OF COMPARABLE AFFORDABILITY IS AVAILABLE WITHIN THE COUNTY EXCEPT WHERE THERE IS AN IMMINENT THREAT TO HEALTH AND SAFETY DUE TO UNSAFE CONDITIONS.

E. **STATE LAWS.** ENFORCEMENT AND WAIVER APPLICATION ARE NOT INTENDED TO SUPERSEDE ANY STATE LAWS, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:

(1) ARTICLE 38A, ENTITLED, "FIRES AND INVESTIGATIONS."

(2) ARTICLE 89, SECTION 64, ENTITLED, "PUBLIC ELEVATORS."

(3) ARTICLE 48, SECTION 167 ET SEQ., ENTITLED, "BOILER AND PRESSURE VESSEL SAFETY ACT."

F. **THE DEPARTMENT SHALL REVIEW A WAIVER GRANTED** UNDER THIS SECTION WITHIN THREE (3) YEARS AFTER THE WAIVER IS GRANTED, AND AT LEASE EVERY THREE (3) YEARS THEREAFTER.

**SECTION 162-5. DUTIES AND POWERS OF THE CODE OFFICIAL.**

A. **GENERAL.** THE COUNTY SHALL DESIGNATE A CODE OFFICIAL. THE CODE OFFICIAL OR DESIGNEE SHALL ENFORCE THE PROVISIONS OF THIS CODE.

B. **NOTICES AND ORDERS.** THE CODE OFFICIAL SHALL ISSUE ALL NOTICES AND ORDERS NECESSARY TO INSURE COMPLIANCE WITH THIS CODE.

C. **RIGHT OF ENTRY.** IF A PROPERTY OWNER, TENANT OR OPERATOR OF A STRUCTURE REFUSES, IMPEDES, INHIBITS, INTERFERES WITH, RESTRICTS, OR OBSTRUCTS ENTRY AND FREE ACCESS TO ANY PART OF THE STRUCTURE OR PREMISES WHERE INSPECTION AUTHORIZED BY THIS CODE IS SOUGHT, THE CODE OFFICIAL OR DESIGNEE MAY SEEK, IN A COURT OF COMPETENT JURISDICTION, AN ORDER THAT THE PROPERTY OWNER, TENANT, OR OPERATOR CEASE AND DESIST FROM THE INTERFERENCE.

D. **INSPECTIONS.** THE CODE OFFICIAL OR DESIGNEE IS AUTHORIZED TO ENTER A STRUCTURE OR PREMISES AT ANY REASONABLE TIME UPON PROVIDING PRIOR NOTICE TO THE PROPERTY OWNER AND TENANT, FOR THE PURPOSE OF MAKING INSPECTIONS AND PERFORMING DUTIES UNDER THIS CODE, SUCH AS BUT NOT LIMITED TO INSTANCES WHERE THERE IS AN IMMINENT THREAT TO HEALTH AND SAFETY DUE TO UNSAFE CONDITIONS.

E. **ALTERATIONS AND REPAIRS.**

(1) THE CODE OFFICIAL OR DESIGNEE SHALL HAVE THE AUTHORITY TO REQUIRE AND APPROVE ANY ALTERATIONS OR REPAIRS NECESSARY TO BRING A STRUCTURE OR PREMISES INTO COMPLIANCE WITH THIS CODE. THE DETERMINATION OF WHAT MAY BE NECESSARY TO BRING THE PREMISES INTO COMPLIANCE SHALL TAKE INTO CONSIDERATION  
9 THE USE OF ALTERNATIVES AND EQUIVALENT APPROACHES  
AS PROVIDED FOR IN THIS CODE.

(2) THE CODE OFFICIAL OR DESIGNEE SHALL HAVE THE AUTHORITY TO APPROVE, UPON THE REQUEST OF THE PROPERTY OWNER, CHANGES IN ALTERATIONS OR REPAIRS IN THE FIELD WHEN CONDITIONS ARE ENCOUNTERED WHICH MAKE THE ORIGINALLY APPROVED WORK IMPRACTICAL, IF THE CHANGES IN APPROVED WORK CAN BE READILY DETERMINED TO BE IN COMPLIANCE WITH THIS CODE.

(3) THE CHANGES SHALL BE SPECIFICALLY DOCUMENTED BY THE PROPERTY OWNER OR BY HIS OR HER AGENT OR CODE OFFICIAL, DESCRIBING THE CHANGE IN WORK AND THE REASONS AND JUSTIFICATIONS FOR THE CHANGE, AND SHALL BE FILED WITH THE PERMIT FOR THE PROJECT.

F. **ACCESS BY PROPERTY OWNER OR OPERATOR.** A TENANT OF A STRUCTURE OR PREMISES SHALL GIVE THE PROPERTY OWNER OR OPERATOR, OR AGENT OR EMPLOYEE, ACCESS TO ANY PART OF THE STRUCTURE OR ITS PREMISES AT REASONABLE TIMES UPON BEING GIVEN REASONABLE NOTICE FOR THE PURPOSE OF MAKING THE INSPECTION, MAINTENANCE, REPAIRS, OR ALTERATIONS AS ARE NECESSARY TO COMPLY WITH THE PROVISIONS OF THIS CODE.

G. **IDENTIFICATION.** THE CODE OFFICIAL SHALL DISCLOSE HIS OR HER IDENTIFICATION FOR THE PURPOSE OF INSPECTING A STRUCTURE OR PREMISES.

H. **COORDINATION OF ENFORCEMENT.**

(1) THE INSPECTION OF STRUCTURES AND PREMISES, THE ISSUANCE OF NOTICES AND ORDERS, AND ENFORCEMENT OF THEM SHALL BE THE RESPONSIBILITY OF THE CODE OFFICIAL.



(2) WHENEVER, IN THE OPINION OF THE CODE OFFICIAL INITIATING AN INSPECTION UNDER THIS CODE, IT IS DEEMED NECESSARY OR DESIRABLE TO HAVE INSPECTIONS BY ANY OTHER GOVERNMENTAL OFFICIAL OR AGENCY, THE CODE OFFICIAL SHALL MAKE A REASONABLE EFFORT TO ARRANGE FOR THE COORDINATION OF THE INSPECTIONS SO AS TO MINIMIZE THE NUMBER OF VISITS BY INSPECTORS.

(3) THE CODE OFFICIAL SHALL CONFER WITH THE OTHER GOVERNMENTAL OFFICIAL OR AGENCY FOR THE PURPOSE OF ELIMINATING CONFLICTING ORDERS BEFORE ANY ARE ISSUED.

(4) THE CODE OFFICIAL MAY NOT, HOWEVER, CAUSE THE DELAY OF THE ISSUANCE OF ANY EMERGENCY ORDERS BY A GOVERNMENTAL OFFICIAL OR AGENCY WHICH THE GOVERNMENTAL OFFICIAL OR AGENCY DETERMINES MUST BE ISSUED.

I. **RULE MAKING AUTHORITY.** THE DIRECTOR OF THE DEPARTMENT SHALL HAVE POWER TO ADOPT AND PROMULGATE RULES AND REGULATIONS TO INTERPRET AND IMPLEMENT THE PROVISIONS OF THE CODE TO FURTHER ITS INTENT. RULES AND REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL TAKE EFFECT AND BE ENFORCEABLE ONLY AFTER THEY HAVE BEEN APPROVED BY RESOLUTION OF THE COUNTY COUNCIL.

## **SECTION 162-6. CONDEMNATION**

### **A. GENERAL.**

(1) WHEN A STRUCTURE OR PART OF IT IS FOUND BY THE CODE OFFICIAL TO BE UNSAFE OR UNFIT FOR HUMAN OCCUPANCY OR USE, THE CODE OFFICIAL MAY RECOMMEND TO THE DIRECTOR OF THE DEPARTMENT THAT THE STRUCTURE OR PART OF IT BE CONDEMNED. AFTER FURTHER INSPECTION OF THE STRUCTURE BY THE DEPARTMENT, THE DIRECTOR MAY ORDER THE STRUCTURE OR PART OF IT TO BE PLACARDED AND VACATED PURSUANT TO THE PROVISIONS OF THIS CODE.

(2) THE STRUCTURE OR PART OF IT MAY NOT BE REOCCUPIED WITHOUT APPROVAL OF THE CODE OFFICIAL.

(3) UNSAFE EQUIPMENT MAY BE CONDEMNED, PLACARDED AND PLACED OUT OF SERVICE PURSUANT TO THE PROVISIONS OF THIS CODE.

B. **UNSAFE STRUCTURE.** AN UNSAFE STRUCTURE IS ONE IN WHICH ALL OR PART OF IT IS FOUND BY THE CODE OFFICIAL TO BE DANGEROUS TO LIFE, HEALTH, PROPERTY, OR THE SAFETY OF ITS TENANTS BY NOT PROVIDING MINIMUM PROTECTION FROM FIRE OR BECAUSE IT IS SO DAMAGED, DECAYED, DILAPIDATED, STRUCTURALLY UNSAFE, OR OF SUCH FAULTY CONSTRUCTION OR UNSTABLE FOUNDATION THAT IT IS LIKELY TO PARTIALLY OR COMPLETELY COLLAPSE.

**C. UNSAFE EQUIPMENT.**

(1) UNSAFE EQUIPMENT INCLUDES ANY BOILER, HEATING EQUIPMENT, COOKING EQUIPMENT, ELEVATOR, MOVING STAIRWAY, ELECTRICAL WIRING OR DEVICE, FLAMMABLE LIQUID CONTAINERS, OR OTHER EQUIPMENT ON THE PREMISES OR WITHIN THE STRUCTURE WHICH IS IN SUCH DISREPAIR OR CONDITION, THAT IT IS FOUND BY THE CODE OFFICIAL TO BE HAZARDOUS TO THE LIFE, HEALTH, PROPERTY, OR SAFETY OF THE TENANTS OF THE PREMISES OR STRUCTURE.

(2) UNSAFE EQUIPMENT MAY CONTRIBUTE TO THE FINDING THAT THE STRUCTURE IS UNSAFE OR UNFIT FOR HUMAN OCCUPANCY OR USE.

D. **"STRUCTURE UNFIT FOR HUMAN OCCUPANCY.** A STRUCTURE IS UNFIT FOR HUMAN OCCUPANCY OR USE WHENEVER THE CODE OFFICIAL FINDS THAT IT IS UNSANITARY, VERMIN OR RODENT INFESTED, CONTAINS FILTH OR CONTAMINATION, OR LACKS VENTILATION, ILLUMINATION, SANITARY OR HEATING FACILITIES, OR OTHER ESSENTIAL EQUIPMENT REQUIRED BY THIS CODE.

E. **CLOSING OF CONDEMNED STRUCTURES.** UPON FAILURE OF A PROPERTY OWNER TO CLOSE OR VACATE A PREMISES WITHIN THE TIME SPECIFIED IN AN ORDER, THE CODE OFFICIAL MAY CAUSE THE PREMISES TO BE CLOSED THROUGH ANY AVAILABLE PUBLIC AGENCY OR BY CONTRACT OR ARRANGEMENT WITH PRIVATE PERSONS AND THE COST SHALL BE CHARGED AGAINST THE REAL PROPERTY WHICH THE STRUCTURE IS LOCATED AND SHALL BE A LIEN UPON THE REAL PROPERTY.

**SECTION 162-7. NOTICES AND ORDERS.**

**A. GENERAL.**

(1) WHENEVER THE CODE OFFICIAL DETERMINES THAT THERE IS A VIOLATION OF THIS CODE OR HAS REASONABLE GROUNDS TO BELIEVE THAT A VIOLATION IS OCCURRING, OR WHENEVER THE CODE OFFICIAL HAS DETERMINED TO CONDEMN A STRUCTURE, OR PART OF IT, OR EQUIPMENT IN ACCORDANCE WITH THIS CODE, NOTICE SHALL BE GIVEN TO THE PROPERTY OWNER AND TO THE TENANT IN THE MANNER PRESCRIBED IN THIS CODE.

(2) IF THE CODE OFFICIAL HAS CONDEMNED THE STRUCTURE, OR PART OF IT, OR EQUIPMENT, THE CODE OFFICIAL SHALL SERVE PRIOR NOTICE TO THE PROPERTY OWNER AND TO THE TENANTS OF THE INTENT TO:

(a) ORDER THE STRUCTURE OR PART OF IT PLACARDED OR VACATED; OR

(b) ORDER THE EQUIPMENT PLACED OUT OF SERVICE.

**B. SERVICE OF NOTICE.**

(1) NOTICE SHALL BE DEEMED TO BE PROPERLY SERVED UPON A PROPERTY OWNER OR TENANT BY ONE OF THE FOLLOWING METHODS:

(a) BY DELIVERING TO THE PERSON TO BE SERVED OR HIS OR HER AGENT A COPY OF THE NOTICE AND ALL OTHER NECESSARY PAPERS; OR

(b) BY MAILING TO THE PERSON TO BE SERVED AT HIS OR HER LAST KNOWN ADDRESS OR TO HIS OR HER AGENT BY FIRST CLASS AND CERTIFIED OR REGISTERED MAIL WITH RETURN RECEIPT REQUESTED A COPY OF THE NOTICE AND ALL OTHER NECESSARY PAPERS.

(2) IF THE CERTIFIED OR REGISTERED LETTER IS RETURNED WITH RECEIPT SHOWING THAT IT HAS NOT BEEN DELIVERED, NOTICE SHALL BE SERVED BY POSTING A COPY OF IT IN A CONSPICUOUS PLACE IN OR ABOUT THE STRUCTURE AFFECTED BY THE NOTICE.

C. **NOTICE TO VACATE** WHEN A CONDEMNATION ORDER IS SERVED ON A TENANT, THE TENANT SHALL BE GIVEN REASONABLE TIME TO VACATE THE STRUCTURE EXCEPT WHERE THERE IS AN IMMINENT THREAT TO HEALTH AND SAFETY DUE TO UNSAFE CONDITIONS, THEN THE OCCUPANTS OF THE BUILDING WILL BE REQUIRED TO VACATE IMMEDIATELY.

D. **TRANSFER OF OWNERSHIP.** A PROPERTY OWNER WHO HAS RECEIVED A COMPLIANCE ORDER OR UPON WHOM A NOTICE OF VIOLATION HAS BEEN SERVED MAY NOT SELL, TRANSFER, MORTGAGE, LEASE, OR OTHERWISE DISPOSE OF THE PREMISES UNTIL:

(1) THE PROVISIONS OF THE COMPLIANCE ORDER OR NOTICE OF VIOLATION HAVE BEEN COMPLIED WITH; OR

(2) THE PROPERTY OWNER SHALL FIRST FURNISH THE GRANTEE, TRANSFEREE, MORTGAGEE, OR LESSEE A TRUE COPY OF THE COMPLIANCE ORDER OR NOTICE OF VIOLATION ISSUED BY THE CODE OFFICIAL, AND SHALL FURNISH TO THE CODE OFFICIAL A SIGNED AND NOTARIZED STATEMENT FROM THE GRANTEE, TRANSFEREE, MORTGAGEE, OR LESSEE, IN WHICH HE OR SHE ACKNOWLEDGES THE RECEIPT OF THE COMPLIANCE ORDER OR NOTICE OF VIOLATION AND STATES THAT HE OR SHE FULLY ACCEPTS AND ASSUMES THE RESPONSIBILITY WITHOUT CONDITION FOR MAKING THE CORRECTIONS OR REPAIRS REQUIRED BY THE COMPLIANCE ORDER OR NOTICE OF VIOLATION.

E. **REMOVAL OF PLACARD.** NO INDIVIDUAL MAY DEFACE OR REMOVE A CONDEMNATION PLACARD WITHOUT THE APPROVAL OF THE CODE OFFICIAL.

#### **SECTION 162-8. VIOLATIONS.**

A. **CRIMINAL PENALTY.** A PROPERTY OWNER WHO WILLFULLY VIOLATES ANY PROVISION OF THIS CODE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION FOR EACH VIOLATION IS SUBJECT TO A FINE NOT EXCEEDING \$500 FOR EACH DAY THAT THE VIOLATIONS EXISTS OR IMPRISONMENT NOT EXCEEDING 90 DAYS, OR BOTH.

B. **CIVIL PENALTY.** A PROPERTY OWNER OR TENANT WHO VIOLATES ANY PROVISION OF THE CODE MAY BE SUBJECT TO A FINE NOT EXCEEDING \$50.00 BY THE DISTRICT COURT. EACH DAY THE VIOLATION EXISTS AFTER NOTIFICATION CONSTITUTES A SEPARATE OFFENSE.

C. **OTHER PENALTIES.** A PENALTY ORDERED UNDER THIS CODE IS IN ADDITION TO AND IS NOT A SUBSTITUTE FOR ANY OTHER PENALTY AUTHORIZED BY FEDERAL, STATE, OR LOCAL LAW.

#### **SECTION 162-9. RIGHT TO APPEAL.**

A PERSON AFFECTED BY A DECISION OF THE CODE OFFICIAL WHICH HAS BEEN MADE IN CONNECTION WITH THE ENFORCEMENT OF ANY PROVISION OF THIS CODE, OR OF A REGULATION ADOPTED PURSUANT TO THIS CODE, MAY REQUEST A HEARING IN ACCORDANCE WITH SECTION R-2.4 ENTITLED, "APPEALS FROM AGENCY ACTIONS," AS SET FORTH IN THE HARFORD COUNTY ADMINISTRATIVE RULES OF PROCEDURE FOR REGULATIONS AND HEARINGS.

**SECTION 162-10. ENVIRONMENTAL REQUIREMENTS.**

A. **SCOPE.** THE PROVISIONS OF THIS CODE SHALL ESTABLISH THE MINIMUM STANDARDS FOR MAINTENANCE OF PREMISES AND STRUCTURES.

B. **PREMISES CONDITIONS.**

(1) **SANITATION.** THE PREMISES SHALL BE MAINTAINED IN A CLEAN, SAFE, AND SANITARY CONDITION FREE FROM ANY ACCUMULATION OF RUBBISH OR GARBAGE.

(2) **INSECT AND RODENT CONTROL.** THE PREMISES SHALL BE FREE FROM INFESTATION OF INSECTS, RODENTS, VERMIN, OR OTHER PESTS.

C. **EXTERIOR STRUCTURE.**

(1) **GENERAL.** THE EXTERIOR OF A STRUCTURE SHALL BE MAINTAINED IN GOOD REPAIR, AND SHALL BE STRUCTURALLY SOUND AND MAINTAINED IN A SANITARY CONDITION SO AS NOT TO POSE A THREAT TO THE HEALTH, SAFETY, OR WELFARE OF THE OCCUPANTS.

(2) **STRUCTURAL MEMBERS.** SUPPORTING COMPONENTS OF A STRUCTURE SHALL BE KEPT SOUND AND CAPABLE OF SAFELY BEARING THE DEAD AND LIVE LOADS IMPOSED UPON THEM.

(3) **EXTERIOR SURFACES.** EACH FOUNDATION, EXTERIOR WALL, ROOF, AND ALL OTHER EXTERIOR SURFACES SHALL BE MAINTAINED IN GOOD REPAIR AND SHALL BE KEPT IN SUCH CONDITION SO AS TO EXCLUDE RODENTS AND OTHER PESTS.

(4) **FOUNDATION WALLS.** FOUNDATION WALLS SHALL BE STRUCTURALLY SOUND AND SHALL BE MAINTAINED FREE FROM OPEN CRACKS AND BREAKS THAT WOULD BE HAZARDOUS OR UNSAFE.

(5) **EXTERIOR WALLS.**

(a) EACH EXTERIOR WALL SHALL BE FREE OF HOLES, BREAKS, LOOSE OR ROTTING BOARDS OR TIMBERS, AND ANY OTHER CONDITIONS WHICH ADMIT ELEMENTS OR DAMPNESS TO THE INTERIOR PORTIONS OF THE WALLS OR TO THE OCCUPIED AREAS OF THE STRUCTURE.

(b) ALL EXTERIOR SURFACE MATERIALS SHALL BE MAINTAINED WEATHER-PROOF TO PREVENT DETERIORATION.

(6) **ROOFS AND DRAINAGE.** THE ROOF SHALL BE STRUCTURALLY SOUND, AND MAY NOT HAVE DEFECTS WHICH ADMIT ELEMENTS. ROOF DRAINAGE SHALL BE ADEQUATE TO PREVENT RAINWATER FROM CAUSING DAMPNESS OR DETERIORATION IN THE WALLS OR INTERIOR PORTION OF THE STRUCTURE.

(7) **DECORATIVE FEATURES.** ALL CORNICES, ENTABLATURES, BELT COURSES, CORBELS, TERRA COTTA TRIM, WALL FACINGS, AND SIMILAR DECORATIVE FEATURES SHALL BE MAINTAINED IN GOOD REPAIR WITH PROPER ANCHORAGE AND IN A SAFE CONDITION OR REMOVED AT THE PROPERTY OWNER'S OPTION.

(8) **SIGNS, MARQUEES, AND AWNINGS.** ALL CANOPIES, MARQUEES, SIGNS, METAL AWNINGS, STAIRWAYS, FIRE ESCAPES, STANDPIPES, EXHAUST DUCTS, AND SIMILAR OVERHANG EXTENSIONS SHALL BE MAINTAINED IN GOOD REPAIR, BE PROPERLY ANCHORED, AND KEPT IN A SAFE AND SOUND CONDITION. THEY SHALL BE PROTECTED FROM THE ELEMENTS AND AGAINST

DECAY AND RUST BY THE PERIODIC APPLICATION OF A WEATHER-COATING MATERIAL SUCH AS PAINT OR OTHER PROTECTIVE TREATMENT.

(9) **CHIMNEYS.**

(a) ALL CHIMNEYS, COOLING TOWERS, SMOKESTACKS, AND SIMILAR APPURTENANCES SHALL BE MAINTAINED STRUCTURALLY SOUND, SAFE, AND IN GOOD REPAIR.

(b) ALL EXPOSED SURFACES OF METAL OR WOOD SHALL BE PROTECTED FROM THE ELEMENTS AND AGAINST DECAY OR RUST.

(10) **STAIRS AND PORCHES.** EACH EXTERIOR STAIR, PORCH, FIRE ESCAPE, BALCONY, AND ALL APPURTENANCES ATTACHED TO THEM SHALL BE SAFE TO USE AND CAPABLE OF SUPPORTING THE ANTICIPATED LOADS AND SHALL BE MAINTAINED IN A SAFE AND SOUND CONDITION AND GOOD REPAIR.

(11) **WINDOWS, DOORS AND FRAMES.** EACH WINDOW, DOOR, AND FRAME SHALL BE MAINTAINED SO AS TO EXCLUDE RAIN AND RODENTS AS COMPLETELY AS POSSIBLE, AND TO SUBSTANTIALLY EXCLUDE WIND FROM ENTERING THE STRUCTURE.

(12) **WEATHERTIGHT.** EACH WINDOW, AND EXTERIOR DOOR SHALL BE FITTED REASONABLY IN ITS FRAME AND BE WEATHERTIGHT. EACH WINDOW SHALL BE FREE OF CRACKS AND HOLES.

(13) **OPENABLE WINDOWS.** EACH WINDOW, OTHER THAN A FIXED WINDOW, SHALL BE CAPABLE OF BEING EASILY OPENED FROM THE INSIDE AND SHALL BE CAPABLE OF BEING HELD IN POSITION.

(14) **INSECT SCREENS.**

(a) DURING THE PERIOD FROM APRIL 1 TO DECEMBER 1, EVERY DOOR AND WINDOW OR OTHER OUTSIDE OPENING USED FOR VENTILATION PURPOSES SHALL BE SUPPLIED WITH TIGHT-FITTING INSECT SCREENS.

(b) EXCEPTION. UPON THE PRIOR APPROVAL OF THE CODE OFFICIAL, SCREENS MAY NOT BE REQUIRED FOR EXTERIOR DOORS OR OTHER TYPES OF OPENINGS WHICH MAKE SCREENING IMPRACTICAL, SUCH AS OPENINGS EQUIPPED WITH AIR CONDITIONING UNITS OR OPENINGS ABOVE THE FOURTH FLOOR. THE CODE OFFICIAL MAY REQUIRE ALTERNATIVES TO SCREENS.

(15) **DOOR HARDWARE.** EACH EXTERIOR DOOR AND ITS HARDWARE SHALL BE MAINTAINED IN GOOD CONDITION. DOOR LOCKS ON ALL INTERIOR AND EXTERIOR DOORS ENTERING HOUSING UNITS SHALL BE IN GOOD REPAIR AND CAPABLE OF TIGHTLY SECURING THE DOOR.

D. **INTERIOR STRUCTURE.**

(1) **GENERAL.** THE INTERIOR OF A STRUCTURE AND ITS EQUIPMENT AND FACILITIES SHALL BE MAINTAINED IN GOOD REPAIR, STRUCTURALLY SOUND, AND IN A SANITARY CONDITION SO AS NOT TO POSE A THREAT TO THE HEALTH, SAFETY, OR WELFARE OF THE OCCUPANTS.

(2) **STRUCTURAL MEMBERS.** SUPPORTING COMPONENTS OF A STRUCTURE SHALL BE SOUND, WELL MAINTAINED, AND CAPABLE OF SAFELY CARRYING THE IMPOSED LOADS.

(3) **INTERIOR SURFACES.** FLOORS, WALLS (INCLUDING WINDOWS AND DOORS), CEILINGS, AND OTHER INTERIOR SURFACES SHALL BE MAINTAINED IN GOOD REPAIR AND IN A CLEAN, SAFE, AND SANITARY CONDITION.

(4) **BATHROOM AND KITCHEN FLOORS.** EACH TOILET, BATHROOM, AND KITCHEN FLOOR SURFACE SHALL BE MAINTAINED SO AS TO BE SUBSTANTIALLY IMPERVIOUS TO WATER TO PERMIT THE FLOOR TO BE EASILY KEPT IN A CLEAN AND SANITARY CONDITION.

(5) **SANITATION.**

(a) THE INTERIOR OF A STRUCTURE SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION FREE FROM ANY ACCUMULATION OF RUBBISH OR GARBAGE.

(b) REFUSE SHALL BE STORED IN ACCORDANCE WITH CHAPTER 109, SECTION 109-3, OF THE HARFORD COUNTY CODE, AS AMENDED.

(c) GARBAGE OR RUBBISH MAY NOT BE ALLOWED TO ACCUMULATE OR BE STORED IN PUBLIC HALLS OR STAIRWAYS.

(6) **INSECT AND RODENT HARBORAGE.**

(a) A STRUCTURE SHALL BE KEPT FREE FROM INFESTATION, AND WHERE INFESTATION IS FOUND, THE AREA SHALL BE PROMPTLY EXTERMINATED BY PROCESSES WHICH ARE NOT INJURIOUS TO HUMAN HEALTH.

(b) CONTINUING OR REPEATED INCIDENTS OF INFESTATION, AS DETERMINED BY THE CODE OFFICIAL, SHALL REQUIRE THE INSTALLATION OF RODENT AND VERMIN-PROOF WALLS. THE RODENT AND VERMIN-PROOF WALLS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPLICABLE LOCAL BUILDING CODE.

(7) **EXIT DOORS.** EACH DOOR AVAILABLE AS AN EXIT SHALL BE CAPABLE OF BEING OPENED EASILY FROM THE INSIDE.

(8) **EXIT FACILITIES.**

(a) ALL INTERIOR STAIRS AND RAILINGS AND OTHER EXIT FACILITIES OF A STRUCTURE SHALL BE MAINTAINED IN SOUND CONDITION AND GOOD REPAIR.

(b) EACH INTERIOR STAIR USED FOR EXIT SHALL BE MAINTAINED SO AS TO BE SAFE TO USE AND CAPABLE OF SUPPORTING THE ANTICIPATED LOADS.

(9) **LEAD PAINT ABATEMENT.** LEAD PAINT ABATEMENT PROCEDURES APPROVED BY THE DEPARTMENT OF HEALTH SHALL BE PERFORMED BY THE PROPERTY OWNER ON:

(a) SURFACES, INCLUDING BUT NOT LIMITED TO CEILINGS, DOORS, RADIATORS, STAIR BANISTERS, TRIM MOLDING, WALLS, AND WINDOW FRAMES, THAT ARE IN A DETERIORATED CONDITION THAT THEY PRESENT A POTENTIAL HEALTH HAZARD DUE TO LEAD PAINT; AND

(b) SURFACES, INCLUDING BUT NOT LIMITED TO DOORS, RADIATORS, STAIR BANISTERS, TRIM MOLDING, AND WINDOW FRAMES, THAT ARE COVERED WITH LEAD PAINT AND PRESENT A POTENTIAL BITING SURFACE.

#### **SECTION 162-11. LIGHT AND VENTILATION REQUIREMENTS.**

##### **A. GENERAL.**

(1) **SCOPE.** THE PROVISIONS OF THIS CODE SHALL GOVERN THE MINIMUM STANDARDS FOR BASIC EQUIPMENT AND FACILITIES USED FOR LIGHT AND VENTILATION OF A STRUCTURE.

(2) **ALTERNATIVE METHODS AND DEVICES.** IN PLACE OF THE MEANS FOR NATURAL LIGHT AND VENTILATION PRESCRIBED IN THIS CODE, ALTERNATIVE ARRANGEMENT OF WINDOWS, LOUVERS, OR OTHER DEVICES OR METHODS THAT WILL PROVIDE THE EQUIVALENT MINIMUM PERFORMANCE REQUIREMENTS SHALL BE PERMITTED IN ORDER TO COMPLY WITH THE APPLICABLE LOCAL BUILDING CODE.

##### **B. LIGHT.**

(1) **GENERAL.** ALL AREAS IN A STRUCTURE SHALL BE PROVIDED SUFFICIENT LIGHT SO AS NOT TO ENDANGER HEALTH AND SAFETY. ALL AREAS IN A STRUCTURE SHALL BE PROVIDED WITH NATURAL LIGHT OR EQUIPMENT TO ACCOMMODATE ARTIFICIAL LIGHT OF SUFFICIENT INTENSITY AND DISTRIBUTED SO AS TO PERMIT THE MAINTENANCE OF SANITARY CONDITIONS AND THE SAFE USE OF THE AREA AND THE APPLIANCES, EQUIPMENT, AND FIXTURES.

(2) **COMMON HALLS AND STAIRWAYS.** EACH COMMON HALL AND STAIRWAY IN A STRUCTURE, OTHER THAN ONE AND TWO-FAMILY STRUCTURES SHALL BE ADEQUATELY LIGHTED AT ALL TIMES WITH AN ILLUMINATION EQUIVALENT TO THE FOOTCANDLES PROVIDED BY AT LEAST A 60 WATT STANDARD INCANDESCENT LIGHT BULB FOR EACH 200 SQUARE FEET OF FLOOR AREA, PROVIDED THAT THE SPACING BETWEEN LIGHTS MAY NOT BE GREATER THAN 30 FEET. EACH EXTERIOR STAIRWAY SHALL BE ILLUMINATED.

##### **C. VENTILATION.**

(1) **GENERAL.** ALL AREAS IN A STRUCTURE SHALL BE PROVIDED SUFFICIENT VENTILATION SO AS NOT TO ENDANGER HEALTH AND SAFETY.

##### **(2) MECHANICAL VENTILATION.**

(a) WHEN MECHANICAL VENTILATION IS PROVIDED INSTEAD OF NATURAL VENTILATION, THE MECHANICAL VENTILATING SYSTEM SHALL BE MAINTAINED IN GOOD OPERATING CONDITION DURING THE OCCUPANCY OF THE STRUCTURE OR PORTION OF IT.

(b) WHEN PART OF THE AIR PROVIDED BY A MECHANICAL VENTILATION SYSTEM IS RECIRCULATED, THE PORTION OR VOLUME OF AIR RECIRCULATED MAY NOT BE RECIRCULATED TO A DIFFERENT HABITABLE AREA.

**SECTION 162-12. PLUMBING FACILITIES AND FIXTURE REQUIREMENTS.**

A. **SCOPE.** THE PROVISIONS OF THIS CODE SHALL GOVERN THE MINIMUM STANDARDS FOR PLUMBING FACILITIES AND FIXTURES.

B. **REQUIRED PLUMBING FACILITIES.** EACH HOUSING UNIT SHALL INCLUDE ITS OWN PLUMBING FACILITIES WHICH SHALL BE MAINTAINED IN PROPER OPERATING CONDITION, CAN BE USED IN PRIVACY, AND ARE ADEQUATE FOR PERSONAL CLEANLINESS AND THE DISPOSAL OF HUMAN WASTE. THE FOLLOWING MINIMUM PLUMBING FACILITIES SHALL BE SUPPLIED AND MAINTAINED IN A SANITARY AND SAFE WORKING CONDITION:

(1) **WATER CLOSET AND LAVATORY.**

(a) EACH HOUSING UNIT SHALL CONTAIN WITHIN ITS WALLS A ROOM SEPARATE FROM OTHER HABITABLE AREAS, WHICH PROVIDES A WATER CLOSET SUPPLIED WITH COLD RUNNING WATER AND WHICH AFFORDS PRIVACY.

(b) A LAVATORY SHALL BE PLACED IN THE SAME ROOM AS THE WATER CLOSET OR LOCATED IN ANOTHER ROOM, IN CLOSE PROXIMITY TO THE DOOR LEADING DIRECTLY INTO THE ROOM IN WHICH THE WATER CLOSET IS LOCATED.

(c) THE LAVATORY SHALL BE SUPPLIED WITH HOT AND COLD RUNNING WATER.

(2) **BATHTUB OR SHOWER.** EACH HOUSING UNIT SHALL CONTAIN A ROOM WHICH IS EQUIPPED WITH A BATHTUB OR SHOWER SUPPLIED WITH HOT AND COLD RUNNING WATER AND WHICH AFFORDS PRIVACY.

(3) **KITCHEN SINK.** EACH HOUSING UNIT SHALL CONTAIN A KITCHEN SINK APART FROM THE LAVATORY REQUIRED BY THIS SECTION. THE SINK SHALL BE SUPPLIED WITH HOT AND COLD RUNNING WATER.

C. **ALTERNATIVE PLUMBING.** ALTERNATIVE PLUMBING FACILITIES AND FIXTURES FOR USE IN HOUSING UNITS MAY BE ALLOWED AS APPROVED ON A CASE-BY-CASE BASIS BY THE DIRECTOR OF THE DEPARTMENT OR DESIGNEE.

D. **PLUMBING FIXTURES.**

(1) **GENERAL.** ALL PLUMBING FIXTURES SHALL BE MAINTAINED IN A SAFE AND USABLE CONDITION. ALL PLUMBING FIXTURES SHALL BE OF NONABSORBENT MATERIAL AND SHALL HAVE RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

(2) **CONNECTIONS.**

(a) WATER SUPPLY LINES, PLUMBING FIXTURES, VENTS, AND DRAINS SHALL BE PROPERLY INSTALLED, CONNECTED, AND MAINTAINED IN WORKING ORDER, SHALL BE KEPT FREE FROM OBSTRUCTIONS, LEAKS, AND DEFECTS, AND SHALL BE CAPABLE OF PERFORMING THE FUNCTION FOR WHICH THEY ARE DESIGNED.

(b) ALL REPAIRS AND INSTALLATIONS SHALL BE MADE IN ACCORDANCE WITH THE PROVISIONS OF THE APPLICABLE LOCAL BUILDING CODE OR APPLICABLE LOCAL PLUMBING CODE.



(3) **MAINTENANCE.** ALL PLUMBING FIXTURES SHALL BE MAINTAINED IN A CLEAN AND SANITARY CONDITION SO AS NOT TO BREED INSECTS AND RODENTS, OR PRODUCE DANGEROUS OR OFFENSIVE GASES OR ODORS.

(4) **ACCESS FOR CLEANING.** PLUMBING FIXTURES SHALL BE INSTALLED TO PERMIT EASY ACCESS FOR CLEANING BOTH THE FIXTURE AND THE AREA AROUND IT.

E. **WATER SYSTEM.**

(1) **GENERAL.** EACH SINK, LAVATORY, BATHTUB OR SHOWER, DRINKING FOUNTAIN, WATER CLOSET, OR OTHER PLUMBING FACILITY SHALL BE PROPERLY CONNECTED TO EITHER A PUBLIC WATER SYSTEM OR TO A PRIVATE WATER SYSTEM WHICH HAS RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

(2) **CONTAMINATION.** THE WATER SUPPLY SHALL BE MAINTAINED FREE FROM CONTAMINATION. ALL WATER INLETS FOR PLUMBING FIXTURES SHALL BE LOCATED ABOVE THE OVERFLOW RIM OF THE FIXTURE.

(3) **WATER SUPPLY.** THE WATER SUPPLY SYSTEM SHALL BE INSTALLED AND MAINTAINED TO PROVIDE AT ALL TIMES A SUPPLY OF WATER TO PLUMBING FACILITIES, FIXTURES, DEVICES, AND APPURTENANCES IN SUFFICIENT VOLUME AND AT PRESSURES ADEQUATE TO ENABLE THEM TO FUNCTION SATISFACTORILY.

(4) **WATER HEATING FACILITIES.**

(a) WATER HEATING FACILITIES SHALL BE INSTALLED IN A MANNER WHICH HAS RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS, BE PROPERLY MAINTAINED, AND PROPERLY CONNECTED WITH HOT WATER LINES TO THE FIXTURES REQUIRED TO BE SUPPLIED WITH HOT WATER.

(b) WATER HEATING FACILITIES SHALL BE CAPABLE OF HEATING WATER TO SUCH A TEMPERATURE SO AS TO PERMIT AN ADEQUATE AMOUNT OF WATER TO BE DRAWN AT EVERY KITCHEN SINK, LAVATORY BASIN, BATHTUB, SHOWER, AND LAUNDRY FACILITY OR OTHER SIMILAR FACILITIES, AT A TEMPERATURE REQUIRED BY LOCAL PLUMBING CODE.

(5) **ALTERNATIVE WATER SYSTEMS.** ALTERNATIVE WATER SYSTEMS MAY BE ALLOWED AS APPROVED ON A CASE-BY-CASE BASIS BY THE DIRECTOR OF THE DEPARTMENT OR DESIGNEE.

F. **SEWAGE SYSTEM.**

(1) **GENERAL.** EACH SINK, LAVATORY, BATHTUB OR SHOWER, DRINKING FOUNTAIN, WATER CLOSET, OR OTHER PLUMBING FACILITY SHALL BE PROPERLY CONNECTED TO EITHER A PUBLIC SEWER SYSTEM OR PRIVATE SEWAGE DISPOSAL SYSTEM WHICH HAS RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

(2) **MAINTENANCE.**

(a) EACH PLUMBING STACK, WASTE AND SEWER LINE SHALL BE INSTALLED AND MAINTAINED SO AS TO FUNCTION PROPERLY AND SHALL BE KEPT FREE FROM OBSTRUCTIONS, LEAKS, AND DEFECTS TO PREVENT STRUCTURAL DETERIORATION OR HEALTH HAZARDS.

(b) ALL REPAIRS AND INSTALLATIONS SHALL RECEIVE ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

**SECTION 162-13. MECHANICAL AND ELECTRICAL REQUIREMENTS.**

A. **SCOPE.** THE PROVISIONS OF THIS CODE SHALL GOVERN THE MINIMUM STANDARDS FOR MECHANICAL AND ELECTRICAL FACILITIES AND EQUIPMENT.

B. **HEATING FACILITIES.**

(1) **STRUCTURES.**

(a) EACH HOUSING UNIT SHALL BE SUPPLIED WITH SUFFICIENT HEAT OR HEATING EQUIPMENT CAPABLE OF SUPPLYING SUFFICIENT HEAT DURING THE PERIOD FROM OCTOBER 1 TO MAY 15 TO MAINTAIN A ROOM TEMPERATURE OF NOT LESS THAN 68 DEGREES FAHRENHEIT IN ALL HABITABLE AREAS DURING THE HOURS BETWEEN 6:30 A.M. AND 10:30 P.M. OF EACH DAY AND MAINTAIN A TEMPERATURE OF NOT LESS THAN 60 DEGREES FAHRENHEIT DURING OTHER HOURS.

(b) THE TEMPERATURE SHALL BE MEASURED AT A POINT 3 FEET ABOVE THE FLOOR AND 3 FEET FROM EXTERIOR WALLS.

(c) EXCEPTION. WHEN THE OUTSIDE TEMPERATURE FALLS BELOW 0 DEGREES FAHRENHEIT AND THE HEATING SYSTEM IS OPERATING AT ITS FULL CAPACITY, A MINIMUM ROOM TEMPERATURE OF 60 DEGREES FAHRENHEIT SHALL BE MAINTAINED AT ALL TIMES.

(2) **COOKING AND HEATING EQUIPMENT.**

(a) ALL COOKING AND HEATING EQUIPMENT, COMPONENTS, AND ACCESSORIES IN HEATING, COOKING, AND WATER HEATING DEVICES SHALL BE MAINTAINED FREE FROM LEAKS AND WATER FLOW OBSTRUCTIONS, AND KEPT FUNCTIONING PROPERLY SO AS TO BE FREE FROM FIRE, HEALTH, AND SAFETY HAZARDS.

(b) ALL INSTALLATIONS AND REPAIRS SHALL BE MADE IN ACCORDANCE WITH THE PROVISIONS OF THE APPLICABLE LOCAL BUILDING CODE, OR OTHER APPLICABLE LAWS OR ORDINANCES.

(c) PORTABLE COOKING EQUIPMENT EMPLOYING FLAME IS PROHIBITED, EXCEPT FOR RESIDENTIAL TYPE FOOD TRAYS OR SALVERS WHICH ARE HEATED BY A CANDLE OR ALCOHOL LAMP AND WHICH HAVE RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

(3) **INSTALLATION.** ALL MECHANICAL EQUIPMENT USED FOR HEATING AND COOKING SHALL BE PROPERLY INSTALLED, SAFELY MAINTAINED IN GOOD WORKING CONDITION, AND SHALL BE CAPABLE OF PERFORMING THE FUNCTION FOR WHICH IT WAS DESIGNED AND INTENDED.

(4) **FUEL-BURNING EQUIPMENT.** ALL FUEL-BURNING EQUIPMENT SHALL BE CONNECTED TO A CHIMNEY, FLUE, OR VENT IN ACCORDANCE WITH APPLICABLE LOCAL OR STATE CODES, OR ACCORDING TO MANUFACTURER'S INSTRUCTIONS IN CASES WHERE NO LOCAL OR STATE CODES APPLY.

(5) **CLEARANCES.** ALL NECESSARY AND LEGALLY REQUIRED CLEARANCES TO COMBUSTIBLE MATERIALS SHALL BE MAINTAINED.

(6) **SAFETY CONTROLS.** ALL SAFETY CONTROLS FOR FUEL-BURNING EQUIPMENT SHALL BE MAINTAINED IN EFFECTIVE OPERATION IN ACCORDANCE WITH APPLICABLE LOCAL OR STATE CODES, OR ACCORDING TO MANUFACTURER'S INSTRUCTIONS IN CASES WHERE NO LOCAL OR STATE CODES APPLY.

(7) **COMBUSTION AIR.** A SUPPLY OF AIR FOR COMPLETE COMBUSTION OF THE FUEL AND FOR VENTILATION OF THE SPACE SHALL BE PROVIDED THE FUEL-BURNING EQUIPMENT.

(8) **UNAUTHORIZED DEVICES.** DEVICES PURPORTING TO REDUCE GAS CONSUMPTION BY ATTACHMENT TO A GAS APPLIANCE, THE GAS SUPPLY LINE, OR THE VENT OUTLET OR VENT PIPING MAY NOT BE USED UNLESS LABELED FOR THAT USE AND THE INSTALLATION HAS SPECIFICALLY RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

(9) **FIREPLACES.** FIREPLACES AND OTHER CONSTRUCTION AND DEVICES INTENDED FOR USE SIMILAR TO A FIREPLACE, SHALL BE STABLE AND STRUCTURALLY SAFE AND CONNECTED TO CHIMNEYS WHICH HAVE RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

(10) **CLIMATE CONTROL.** WHEN FACILITIES FOR INTERIOR CLIMATE CONTROL (HEATING, COOLING, AND HUMIDITY) ARE INTEGRAL FUNCTIONS OF HOUSING UNITS, THESE FACILITIES SHALL BE MAINTAINED AND OPERATED IN ACCORDANCE WITH THE DESIGNED CAPACITY.

C. **ELECTRICAL FACILITIES.**

(1) **FACILITIES REQUIRED.** ALL UNITS SHALL BE SUPPLIED WITH AN ELECTRICAL SERVICE OF NO LESS THAN 60 AMP., 120/240 VOLT.

(2) **RECEPTACLES.** EACH HABITABLE AREA IN A HOUSING UNIT SHALL CONTAIN AT LEAST ONE RECEPTACLE OUTLET. EACH LAUNDRY AREA AND BATHROOM SHALL CONTAIN AT LEAST ONE GROUNDED TYPE RECEPTACLE. EVERY KITCHEN SHALL HAVE AT LEAST TWO RECEPTACLE OUTLETS.

(3) **LIGHTING FIXTURES.** EACH RENTAL UNIT, PUBLIC HALL, WATER CLOSET COMPARTMENT, FURNACE ROOM, HALLWAY, CORRIDOR, INTERIOR STAIRWAY, BATHROOM, LAUNDRY ROOM AND KITCHEN SHALL CONTAIN AT LEAST ONE ELECTRICAL LIGHTING FIXTURE.

(4) **INSTALLATION.** ALL ELECTRICAL EQUIPMENT, WIRING, AND APPLIANCES SHALL BE INSTALLED AND MAINTAINED IN A SAFE MANNER IN ACCORDANCE WITH APPLICABLE LAWS. ALL ELECTRICAL EQUIPMENT SHALL BE OF A TYPE WHICH HAS RECEIVED ALL NECESSARY AND LEGALLY REQUIRED APPROVALS.

## **SECTION 162-14. FIRE SAFETY REQUIREMENTS.**

A. **SCOPE.** THE PROVISIONS OF THIS CODE SHALL GOVERN THE MINIMUM STANDARDS FOR FIRE SAFETY FACILITIES AND EQUIPMENT. ALL STRUCTURES SHALL BE CONSTRUCTED AND MAINTAINED TO PREVENT AND AVOID FIRE HAZARDS, AND IN A MANNER CONDUCTIVE TO FIRE SAFETY.

### **B. MEANS OF EGRESS.**

(1) **GENERAL.** A SAFE, CONTINUOUS, AND UNOBSTRUCTED MEANS OF EGRESS SHALL BE PROVIDED FROM THE INTERIOR OF A STRUCTURE TO THE EXTERIOR AT A STREET, YARD, COURT, OR PASSAGEWAY LEADING TO A PUBLIC OPEN AREA AT GRADE.

(2) **DIRECT EXIT.** EACH HOUSING UNIT SHALL HAVE ACCESS DIRECTLY TO THE OUTSIDE OR TO A COMMON AREA THAT LEADS DIRECTLY TO THE OUTSIDE.

(3) **DOORS.** ALL DOORS IN THE REQUIRED MEANS OF EGRESS SHALL BE EASILY OPENED FROM THE INNER SIDE.

(4) **FIRE ESCAPES.** ALL FIRE ESCAPES SHALL BE MAINTAINED IN WORKING CONDITION AND BE STRUCTURALLY SOUND AND ADHERE TO LOCAL BUILDING CODES, AND ALL APPLICABLE LOCAL AND STATE LAWS.

(5) **EXIT SIGNS.** ALL EXIT SIGNS SHALL BE MAINTAINED AND VISIBLE IN ACCORDANCE WITH THE APPLICABLE STATE AND LOCAL CODE.

(6) **EMERGENCY ESCAPE.** EVERY BASEMENT SLEEPING ROOM SHALL HAVE AT LEAST ONE (1) OPERABLE WINDOW OR EXTERIOR DOOR APPROVED FOR EMERGENCY EGRESS OR RESCUE. THE UNITS MUST BE OPERABLE FROM THE INSIDE OPENING WITHOUT THE USE OF SEPARATE TOOLS. WHERE WINDOWS ARE PROVIDED AS A MEANS OF EGRESS OR RESCUE THEY SHALL HAVE A SILL HEIGHT NOT MORE THAN FORTY-FOUR (44) INCHES ABOVE THE FLOOR. ALL EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS MUST HAVE A MINIMUM NET CLEAR OPENING OF FIVE (5) SQUARE FEET. THE MINIMUM NET CLEAR OPENING HEIGHT DIMENSION SHALL BE TWENTY-FOUR (24) INCHES. THE MINIMUM NET CLEAR OPENING WIDTH DIMENSION SHALL BE TWENTY (20) INCHES. BARS, GRILLS OR SCREENS PLACED OVER EMERGENCY ESCAPE WINDOWS SHALL BE RELEASABLE OR REMOVABLE FROM THE INSIDE WITHOUT THE USE OF A KEY, TOOL OR EXCESSIVE FORCE.

(7) **AN EXCEPTION TO NUMBER SIX (6) ABOVE.** A COMPLETE RESIDENTIAL FIRE SPRINKLER SYSTEM MAY BE INSTALLED. INSTALLATION MUST BE IN ACCORDANCE WITH THE STATE FIRE PREVENTION CODE.

### **C. ACCUMLATIONS AND STORAGE.**

(1) **GENERAL.** GARBAGE OR RUBBISH MAY NOT BE ALLOWED TO ACCUMULATE IN STAIRWAYS, PASSAGEWAYS, DOORS, WINDOWS, FIRE ESCAPES, OR OTHER MEANS OF EGRESS.

(2) **FLAMMABLE MATTER.** HIGHLY FLAMMABLE OR EXPLOSIVE MATTER, SUCH AS PAINTS, VOLATILE OILS AND CLEANING FLUIDS, OR COMBUSTIBLE RUBBISH SUCH AS WASTE PAPER, BOXES, AND RAGS, MAY NOT BE ACCUMULATED OR STORED ON PREMISES EXCEPT IN REASONABLE QUANTITIES CONSISTENT WITH NORMAL USAGE.

(3) **RESIDENTIAL UNIT.** A HOUSING UNIT MAY NOT BE LOCATED WITHIN A STRUCTURE CONTAINING AN ESTABLISHMENT HANDLING, DISPENSING, OR STORING FLAMMABLE LIQUIDS WITH A FLASH POINT OF 100 DEGREES FAHRENHEIT OR LOWER.

D. **FIRE RESISTANCE RATINGS.** FLOORS, WALLS, CEILINGS, AND OTHER ELEMENTS AND COMPONENTS WHICH ARE REQUIRED BY THE APPLICABLE FIRE CODE TO COMPLY WITH A FIRE RESISTANCE RATING SHALL BE MAINTAINED SO THAT THE RESPECTIVE FIRE RESISTANCE RATING OF THE ENCLOSURE, SEPARATION, OR CONSTRUCTION IS PRESERVED.

E. **FIRE PROTECTION SYSTEMS.**

(1) **GENERAL.** ALL FIRE PROTECTION SYSTEMS AND EQUIPMENT SHALL BE MAINTAINED IN PROPER OPERATING CONDITION AT ALL TIMES.

(2) **SMOKE DETECTORS.**

(a) ALL HOUSING UNITS SHALL BE PROVIDED WITH A MINIMUM OF ONE SINGLE STATION SMOKE DETECTOR IN THE VICINITY OF EACH SLEEPING AREA.

(b) THE SMOKE DETECTORS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH ARTICLE 38A, SECTION 12A, ENTITLED, "SMOKE DETECTION SYSTEMS," OF THE ANNOTATED CODE OF MARYLAND.

(c) WHEN ACTUATED, THE SMOKE DETECTOR SHALL PROVIDE AN ALARM SUITABLE TO WARN THE OCCUPANTS WITHIN THE UNIT.

(3) **FIRE SUPPRESSION SYSTEM.** FIRE SUPPRESSION SYSTEMS IN HOUSING UNITS SO EQUIPPED SHALL BE MAINTAINED IN GOOD CONDITION, FREE FROM MECHANICAL DEFECT. SPRINKLER HEADS SHALL BE KEPT CLEAN AND FREE OF CORROSION AND PAINT, AND MAY NOT BE BENT OR DAMAGED.

(4) **FIRE EXTINGUISHERS.** ALL PORTABLE FIRE EXTINGUISHERS IN HOUSING UNITS SO EQUIPPED SHALL BE VISIBLE AND ACCESSIBLE, AND MAINTAINED IN AN EFFICIENT AND SAFE OPERATING CONDITION.

F. **FIRE DOORS.**

(1) ALL NECESSARY AND LEGALLY REQUIRED FIRE RESISTANCE RATED DOORS OR SMOKE BARRIERS SHALL BE MAINTAINED IN GOOD WORKING ORDER, INCLUDING ALL HARDWARE NECESSARY FOR THEIR PROPER OPERATION.

(2) ONLY APPROVED DOOR STOPS, HOLD-OPEN DEVICES OR OTHER DOOR HARDWARE SHALL BE USED ON EGRESS DOORS, FIRE DOORS OR SMOKE BARRIER DOORS.

**SECTION 162-15. RESPONSIBILITY OF PERSONS.**

A. **SCOPE.** THE PROPERTY OWNER OR TENANT SHALL BE RESPONSIBLE FOR COMPLIANCE WITH THE PROVISIONS OF THIS CODE, AND MAY BE CITED FOR VIOLATIONS OF IT, EXCEPT AS PROVIDED IN THIS CODE. UNLESS A WAIVER IS GRANTED IN ACCORDANCE WITH THIS CODE,

NO PERSON MAY RENT OR LEASE TO ANOTHER PERSON FOR OCCUPANCY OR USE ANY HOUSING UNIT WITHOUT THE STRUCTURE AND PREMISES COMPLYING WITH THE PROVISIONS OF THIS CODE.

B. **GENERAL.** A PROPERTY OWNER MAY NOT BE CITED FOR A VIOLATION OF THIS CODE THAT IS CAUSED BY THE NEGLIGENT, WRONGFUL OR MALICIOUS ACTS OR OMISSIONS OF A TENANT, PROVIDED THE PROPERTY OWNER'S ACTS OR OMISSIONS HAVE NOT CONTRIBUTED IN ANY WAY TO CAUSE THE VIOLATION.

C. **THE CODE OFFICIAL** SHALL HAVE THE AUTHORITY TO CITE A TENANT FOR A VIOLATION(S) OF THE PROVISIONS OF THIS SUBSECTION THAT ARE THE TENANT'S RESPONSIBILITY.

D. **SANITARY CONDITIONS.**

(1) **CLEANLINESS.**

(a) THE TENANT SHALL BE RESPONSIBLE FOR KEEPING THAT PART OF THE STRUCTURE OR PREMISES WHICH THE TENANT OCCUPIES, CONTROLS, OR USES IN A CLEAN AND SANITARY CONDITION.

(b) EACH PROPERTY OWNER OF A STRUCTURE CONTAINING TWO OR MORE HOUSING UNITS SHALL MAINTAIN, IN A CLEAN AND SANITARY CONDITION, THE COMMON AREAS OF THE STRUCTURE AND PREMISES.

(2) **DISPOSAL AND STORAGE OF RUBBISH AND GARBAGE.** THE TENANT SHALL BE RESPONSIBLE FOR THE STORAGE AND DISPOSAL OF RUBBISH AND GARBAGE IN A CLEAN AND SANITARY MANNER AS MAY BE REQUIRED BY APPLICABLE LAWS OR ORDINANCES.

(3) **SUPPLIED FIXTURES AND EQUIPMENT.**

(a) THE TENANT SHALL BE RESPONSIBLE FOR KEEPING OWNER-SUPPLIED EQUIPMENT AND FIXTURES CLEAN AND SANITARY, AND FOR THE EXERCISE OF REASONABLE CARE IN THEIR PROPER USE AND OPERATION.

(b) THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTAINING THE EQUIPMENT AND FIXTURES IN GOOD AND PROPER OPERATING CONDITION.

(4) **FURNISHED BY TENANT.** THE TENANT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF EQUIPMENT AND FIXTURES FURNISHED BY THE TENANT. THE EQUIPMENT AND FIXTURES SHALL BE PROPERLY INSTALLED, AND SHALL BE MAINTAINED IN GOOD WORKING CONDITION, KEPT CLEAN AND SANITARY, AND FREE OF DEFECTS, LEAKS OR OBSTRUCTIONS.

E. **EXTERMINATION.**

(1) **ALL STRUCTURES.** IF NECESSARY, THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR EXTERMINATION WITHIN THE STRUCTURE AND ON THE PREMISES BEFORE RENTING OR LEASING THE STRUCTURE.

(2) **SINGLE OCCUPANCY.** THE TENANT OF A STRUCTURE CONTAINING A SINGLE HOUSING UNIT SHALL BE RESPONSIBLE FOR THE EXTERMINATION OF ANY INSECTS, RODENTS, OR OTHER PESTS IN THE STRUCTURE OR THE PREMISES.

(3) **MULTIPLE OCCUPANCY.** EACH PROPERTY OWNER OR OPERATOR OF A STRUCTURE CONTAINING TWO OR MORE HOUSING UNITS SHALL BE RESPONSIBLE FOR THE EXTERMINATION OF ANY INSECTS, RODENTS, OR OTHER PESTS IN THE STRUCTURE OR ON THE PREMISES EXCEPT WHERE

INFESTATION WITHIN A HOUSING UNIT IS CAUSED BY A FAILURE OF THE TENANT TO TAKE REASONABLE ACTION TO PREVENT THE INFESTATION WITHIN THE HOUSING UNIT.

F. **FIRE SAFETY.** RESPONSIBILITY FOR INSTALLING AND MAINTAINING IN GOOD WORKING ORDER ANY SMOKE DETECTOR INSTALLED PURSUANT TO THIS CODE SHALL BE IN ACCORDANCE WITH ARTICLE 38A, SECTION 12A, ENTITLED, "SMOKE DETECTION SYSTEMS," OF THE ANNOTATED CODE OF MARYLAND.

**SECTION 162-16. RETALIATORY EVICTIONS.**

NO PROPERTY OWNER OR OPERATOR SHALL EVICT AN OCCUPANT OF ANY RENTAL HOUSING UNIT SOLELY BECAUSE THE OCCUPANT HAS FILED A WRITTEN COMPLAINT OR COMPLAINTS WITH THE DEPARTMENT. NOTHING CONTAINED HEREIN IS INTENDED TO SUPERCEDE THE APPLICATION OR PROVISIONS OF SECTION 8-208.1 OF THE REAL PROPERTY ARTICLE.

**SECTION 162-17. SEVERABILITY.**

THE PROVISIONS OF THIS CODE ARE SEVERABLE. A JUDGMENT BY ANY COURT OF COMPETENT JURISDICTION FINDING OR DECLARING THAT ANY PROVISION OF THIS CODE OR THE APPLICATION OF ANY PROVISION TO A PERSON OR CIRCUMSTANCE IS INVALID DOES NOT AFFECT THE VALIDITY OF THE REMAINING PROVISIONS OF THIS CODE OR ANY OTHER LAW, WHICH SHALL HAVE FULL FORCE AND EFFECT AS IF NO JUDGMENT HAD BEEN ENTERED.

**Section 2.** And Be It Further Enacted, that the Department of Inspections, Licenses and Permits shall submit to the County Council, not more than 90 calendar days after this Act becomes law, a list of proposed standards to be used in granting shall submit to the County Council, not more than 90 calendar days after this Act becomes law, a list of proposed standards to be used in granting waivers under the provisions of Section 162-4 of the Harford County Code, as enacted by this Act. The provisions of Section 162-4 shall take effect only after the proposed standards have been approved by resolution of the Council.

**Section 3.** And Be It Further Enacted, that the provisions of Section 162-8 of the Harford County Code, as enacted by Section 1 of this Act, shall take effect January 1, 1989.

**Section 4.** And Be It Further Enacted that, subject to the provisions of Section 2 of this Act, this act shall take effect sixty (60) calendar days from the date it becomes law.

**EFFECTIVE: OCTOBER 4, 1988**